

AN ACT concerning domestic violence.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Code of Criminal Procedure of 1963 is amended by changing Sections 112A-4 and 112A-4.5 as follows:

(725 ILCS 5/112A-4) (from Ch. 38, par. 112A-4)

Sec. 112A-4. Persons protected by this Article.

(a) The following persons are protected by this Article in cases involving domestic violence:

(1) any person abused by a family or household member;

(2) any minor child or dependent adult in the care of such person; ~~and~~

(3) any person residing or employed at a private home or public shelter which is housing an abused family or household member; and-

(4) any of the following persons if the person is abused by a family or household member of a child:

(i) a foster parent of that child if the child has been placed in the foster parent's home by the Department of Children and Family Services or by another state's public child welfare agency;

(ii) a legally appointed guardian or legally appointed custodian of that child;

(iii) an adoptive parent of that child; or  
(iv) a prospective adoptive parent of that child if  
the child has been placed in the prospective adoptive  
parent's home pursuant to the Adoption Act or pursuant  
to another state's law.

For purposes of this paragraph (a)(4), individuals who  
would have been considered "family or household members" of the  
child under paragraph (3) of subsection (b) of Section 112A-3  
before a termination of the parental rights with respect to the  
child continue to meet the definition of "family or household  
members" of the child.

(a-5) The following persons are protected by this Article  
in cases involving sexual offenses:

(1) any victim of non-consensual sexual conduct or  
non-consensual sexual penetration on whose behalf the  
petition is brought;

(2) any family or household member of the named victim;  
and

(3) any employee of or volunteer at a rape crisis  
center.

(a-10) The following persons are protected by this Article  
in cases involving stalking offenses:

(1) any victim of stalking; and

(2) any family or household member of the named victim.

(b) (Blank).

(Source: P.A. 100-199, eff. 1-1-18.)

(725 ILCS 5/112A-4.5)

Sec. 112A-4.5. Who may file petition.

(a) A petition for an order of protection may be filed:

(1) by a person who has been abused by a family or household member; ~~or~~

(2) by any person on behalf of a minor child or an adult who has been abused by a family or household member and who, because of age, health, disability, or inaccessibility, cannot file the petition; or-

(3) any of the following persons if the person is abused by a family or household member of a child:

(i) a foster parent of that child if the child has been placed in the foster parent's home by the Department of Children and Family Services or by another state's public child welfare agency;

(ii) a legally appointed guardian or legally appointed custodian of that child;

(iii) an adoptive parent of that child;

(iv) a prospective adoptive parent of that child if the child has been placed in the prospective adoptive parent's home pursuant to the Adoption Act or pursuant to another state's law.

For purposes of this paragraph (a) (3), individuals who would have been considered "family or household members" of the child under paragraph (3) of subsection (b) of Section 112A-3

before a termination of the parental rights with respect to the child continue to meet the definition of "family or household members" of the child.

(b) A petition for a civil no contact order may be filed:

(1) by any person who is a victim of non-consensual sexual conduct or non-consensual sexual penetration, including a single incident of non-consensual sexual conduct or non-consensual sexual penetration; or

(2) by a person on behalf of a minor child or an adult who is a victim of non-consensual sexual conduct or non-consensual sexual penetration but, because of age, disability, health, or inaccessibility, cannot file the petition.

(c) A petition for a stalking no contact order may be filed:

(1) by any person who is a victim of stalking; or

(2) by a person on behalf of a minor child or an adult who is a victim of stalking but, because of age, disability, health, or inaccessibility, cannot file the petition.

(d) The State's Attorney shall file a petition on behalf on any person who may file a petition under subsections (a), (b) or (c) of this Section if the person requests the State's Attorney to file a petition on the person's behalf.

(e) Any petition properly filed under this Article may seek protection for any additional persons protected by this

Article.

(Source: P.A. 100-199, eff. 1-1-18.)

Section 10. The Illinois Domestic Violence Act of 1986 is amended by changing Section 201 as follows:

(750 ILCS 60/201) (from Ch. 40, par. 2312-1)

Sec. 201. Persons protected by this Act.

(a) The following persons are protected by this Act:

(i) any person abused by a family or household member;

(ii) any high-risk adult with disabilities who is abused, neglected, or exploited by a family or household member;

(iii) any minor child or dependent adult in the care of such person; ~~and~~

(iv) any person residing or employed at a private home or public shelter which is housing an abused family or household member; ~~and~~

(v) any of the following persons if the person is abused by a family or household member of a child:

(A) a foster parent of that child if the child has been placed in the foster parent's home by the Department of Children and Family Services or by another state's public child welfare agency;

(B) a legally appointed guardian or legally appointed custodian of that child;

(C) an adoptive parent of that child; or

(D) a prospective adoptive parent of that child if the child has been placed in the prospective adoptive parent's home pursuant to the Adoption Act or pursuant to another state's law.

For purposes of this paragraph (a) (v), individuals who would have been considered "family or household members" of the child under subsection (6) of Section 103 of this Act before a termination of the parental rights with respect to the child continue to meet the definition of "family or household members" of the child.

(b) A petition for an order of protection may be filed only:

(i) by a person who has been abused by a family or household member or by any person on behalf of a minor child or an adult who has been abused by a family or household member and who, because of age, health, disability, or inaccessibility, cannot file the petition;  
~~or~~

(ii) by any person on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member; or

(iii) any of the following persons if the person is abused by a family or household member of a child:

(A) a foster parent of that child if the child has been placed in the foster parent's home by the

Department of Children and Family Services or by another state's public child welfare agency;

(B) a legally appointed guardian or legally appointed custodian of that child;

(C) an adoptive parent of that child;

(D) a prospective adoptive parent of that child if the child has been placed in the prospective adoptive parent's home pursuant to the Adoption Act or pursuant to another state's law.

For purposes of this paragraph (b)(iii), individuals who would have been considered "family or household members" of the child under subsection (6) of Section 103 of this Act before a termination of the parental rights with respect to the child continue to meet the definition of "family or household members" of the child. However, any

(c) Any petition properly filed under this Act may seek protection for any additional persons protected by this Act.

(Source: P.A. 86-542; 87-1186.)